



02-0604

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PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

INVENTOR(S) : Zmuda et al.

TITLE : **ORAL FLUID ASSAY FOR HEPATITIS C VIRUS (HCV) ANTIBODIES USING NON-ANTIBODY LABELING OF IgA MOLECULES RECOGNIZING HCV PEPTIDE EPITOPE**

APPLICATION NO. : 09/938,131

FILED : August 23, 2001

CONFIRMATION NO. : 1717

EXAMINER : Donna C. Wortman

ART UNIT : 1648

LAST OFFICE ACTION : August 5, 2003

ATTORNEY DOCKET NO. : LIOZ 2 00081

RECEIVED
FEB 19 2004

FEB 24 2004

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board from a decision of the primary Examiner mailed **August 5, 2002** finally rejecting claims 1-15.

The items checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(b) the fee for filing the Notice of Appeal is:

small entity \$165.00

3. EXTENSION OF TERM

Applicant(s) hereby petitions the Commissioner under 37 C.F.R. §1.136(a) for a three-month extension of time up to and including February 5, 2004

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in which to file the accompanying Notice of Appeal. The amount of \$475.00 for the extension fee is enclosed herewith. Applicant(s) request any additional extensions of time that may be necessary and authorize the extension of time fees or any deficiency in fees herewith to be charged to Deposit Account No. 06-0308.

4. TOTAL FEES DUE

The total fee due is:

Notice of Appeal Fee: \$165.00

Extension of Time Fee: \$475.00

5. FEE PAYMENT

Attached is a check in the amount of \$640.00. If any additional extension and/or fees are required this is a request therefor and charge Deposit Account No. 06-0308.

Respectfully submitted,
FAY, SHARPE, FAGAN,
MINNICH & McKEE LLP


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CERTIFICATE OF MAILING

I certify that this Notice Of Appeal From The Primary Examiner To The Board Of Patent Appeals And Interferences is being

- deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
- transmitted via facsimile under 37 C.F.R. § 1.8 on the date indicated below.
- deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: MAIL STOP AF, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No.:	Signature
EL 964452475 US	
Date	Printed Name
February 5, 2004	Lynda S. Kalemba